

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

SARA BA,

Plaintiff,

v.

Case No. 3:18-cv-01683-MO

CHAD WOLF, Secretary of the Department
of Homeland Security,

OPINION AND ORDER

Defendant.¹

MOSMAN, J.,

Plaintiff (“Mr. Ba”) filed this Motion for Sanctions [ECF 35] on December 2, 2019. Mr. Ba’s motion was, effectively, a motion to compel discovery, and I will treat it as such. In the motion, Mr. Ba requested four actions from this court: (1) that I dismiss any motion for summary judgment made by the government, (2) that I compel production of any documents related to Mr. Ba’s discovery request, (3) that I exclude any evidence proffered by the government, and (4) that I grant Mr. Ba “all reliefs” requested in his complaint. Pl. Mot. [35] at 3.

I deny all four of Mr. Ba’s requests, as follows. First, the government has not moved for summary judgment, and I deny Mr. Ba’s first claim for relief accordingly. Next, the government persuasively explained in its response to the motion that it timely complied with Mr. Ba’s

¹ The court substitutes Chad Wolf as the named defendant in place of Kirstjen Nielsen. Mr. Wolf is the current Acting Secretary of the Department of Homeland Security.

discovery request and provided the documents he asked for. Def.'s Resp. in Opposition [ECF 36] at 3-4. I am satisfied that the government has met its discovery obligation, and I decline to compel any further production. Finally, I deny Mr. Ba's request that I exclude the government's proffered evidence and that I grant Mr. Ba's complaint because I find that the government has taken no adverse action that requires a remedy.

CONCLUSION

Mr. Ba's Motion for Sanctions [35] is DENIED. Discovery in this case will proceed as scheduled. Expert discovery is due January 14, 2020. Dispositive motions are due February 4, 2020.

IT IS SO ORDERED.

DATED this 6th day of January, 2020.

Michael W. Mosman
MICHAEL W. MOSMAN
United States District Judge